

REMARKS

Upon entry of the present amendment, claims 32-35 and 37 will have been canceled. Claim 36, indicated to contain allowable subject matter, will have been amended but merely to render the recitations thereof more clear. The amendments to claim 36 have not been made in view of the prior art at least because the claim was indicated to be allowable.

Moreover, by the cancellation of claims 32-35 and 37, Applicants are not in any manner acquiescing in the propriety of the Examiner's rejections asserted against these claims. Rather, Applicants are opting to expedite the allowance of the present application by limiting the same to claims that have been indicated by the Examiner to be allowable or claims that contained limitations relied upon by the Examiner for allowability.

Applicants explicitly reserve the right to submit claims corresponding to any of the canceled claims in the present application, in a continuing application.

By the present response, Applicants will also have submitted claims 38-40 for consideration by the Examiner. It is respectfully submitted that these claims are clearly allowable over the prior art of record herein at least in view of the Examiner's indication in the outstanding Official Action.

Initially, Applicants note with appreciation the Examiner's explicit withdrawal of the double-patenting rejection previously asserted against claims in the present application.

In the outstanding Official Action, the Examiner rejected claim 36 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner's comments identified claim 37 as an independent claim that includes the features of claim 36 by reference.

Applicants respectfully traverse the Examiner's rejection and submit that claim 36 is clear, definite and accurate and distinctly claims subject matter which Applicants regard as the

invention. In particular, Applicants initially note that, contrary to the Examiner's assertion, claim 37 is not an independent claim at least because it refers to and incorporates the limitations of claim 36. Nevertheless, Applicants have, by the present response, canceled claim 37.

As it appears that the Examiner's rejection of claim 36 was somehow related to the presence of claim 37 (the Examiner not indicating any indefiniteness in the language of claim 36 itself) at least by the cancellation of claim 37, it is submitted that the Examiner's rejection of claim 36 has been overcome. An indication to such effect in the next Official Action is respectfully requested.

In the outstanding Official Action, the Examiner rejected claims 32, 33 and 37 under 35 U.S.C. § 102(e) as being anticipated by SMITH et al. (U.S. Published Patent Application No. 2003-0162519). Claims 34 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over SMITH et al. in view of KIM et al. (U.S. Patent No. 7,079,514).

Since Applicants have canceled each of the above-noted claims without in any manner acquiescing in the propriety of the Examiner's rejection, it is respectfully submitted that the rejections have now been rendered moot.

By the present response, Applicants have submitted new claims 38-40 for consideration by the Examiner. Each of these claims is submitted to be allowable at least based upon the Examiner's indication with respect to the reasons for the allowance of claim 36. Accordingly, an action indicating the allowability of newly submitted claims 38-40 is respectfully requested in due course.

In the outstanding Official Action, the Examiner included an Examiner's Statement of Reasons for the Allowability of claim 36. In this regard, while Applicants do not in any manner disagree with the features enumerated in the Examiner's Statement, Applicants further submit

that each of the claims pending in the present application recites a combination of features, and thus, the patentability of each claim is based on the particular combination of features recited therein. Accordingly, the reasons for allowance should not be limited to those explicitly enumerated by the Examiner.

As noted above, each of the newly submitted claims 38-40 include the feature relied upon by the Examiner for the indication of the allowability of claim 36. Accordingly, at least for this reason, each of the newly submitted claims is submitted to be allowable.

Accordingly, in view of the above, Applicants respectfully request confirmation of the allowability of claim 36 and an indication of the allowability of all of claims 38-40 newly submitted and now pending herein. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have submitted several new claims for consideration in the present application.

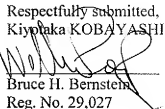
Applicants have additionally canceled, without prejudice or disclaimer, all of the claims rejected on prior art grounds in the present application. Applicants have additionally traversed the Examiner's 35 U.S.C. § 112, second paragraph, rejection. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Respectfully submitted,
Kiyotaka KOBAYASHI

Bruce H. Bernstein
Reg. No. 29,027

William Pieprz
Reg. No. 33,630